IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.1111 of 2006
Date of decision: October 30, 2006.

C.K. Gambhir

...**Petitioner(s)**

v.

Balbir Singh & Anr.

...**Respondent(s)**

Present: Shri Sandeep Arora, Advocate for the petitioner.

Shri K.S. Dhillon, Advocate for the respondents.

Surya Kant, J. (Oral)

The petitioner filed CWP No.8049 of 2003, which was partly allowed by a Division Bench of this Court on January 17, 2005 with a direction to the respondents to release gratuity to him within a period of two months along with simple interest @ 6% per annum.

Alleging non-compliance of the above stated order, this contempt petition has been filed.

In response to the show cause notice, the respondents have filed a short reply.

During the course of hearing and in deference to the directions issued by the Division Bench, noted above, Shri Dhillon, Learned Counsel for the respondents, has handed over a cheque, bearing No.115132 dated 26.10.2006 in the sum of Rs.384912/- drawn on the Punjab National Bank, Defence Colony, Jalandhar, to Learned Counsel for the petitioner, which,

according to Shri Dhillon, includes the interest component also.

Learned Counsel for the petitioner, however, contends that full amount of gratuity has not been paid to the petitioner.

As there appears to be some dispute with regard to calculation of exact amount of gratuity to which the petitioner is entitled to, and having regard to the fact that the directions issued by this Court have been substantially complied with, I do not find it appropriate to continue with these proceedings which are disposed of, however, with liberty to the petitioner to submit a representation to the managing committee of the college giving the statement of accounts as prepared by him in order to show that he is entitled to some more gratuity. If any such representation is made by him within a period of one month, the respondents shall consider the same objectively and dispose of within three months from the date of receipt thereof. If the petitioner is found entitled to some additiuonal amount, the same shall also be released within the above stated period. However, if the respondents are of the view that the amount already paid by them is full and final payment, a communication to this effect shall be sent to the petitioner within the aforesaid period of three months.

Disposed of.

Rule discharged.

October 30, 2006. [**Surya Kant**]
kadyan **Judge**